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THREAD WALLETS LLC

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

THREAD WALLETS LLC, a Utah limited
liability company,

Plaintiff,

v.

BRIXLEY BAGS, LLC, a Utah limited
liability company,

Defendant.

Civil Action No.: 2:23-cv-00874-JNP-JCB

**PLAINTIFF THREAD WALLETS
LLC'S MOTION TO SEAL**

DEMAND FOR JURY TRIAL

Judge Jill N. Parrish

Magistrate Judge Jared C. Bennett

Plaintiff Thread Wallets LLC ("Thread") by and through undersigned counsel, respectfully moves this Court pursuant to DUCivR 5-3 to seal the Motion for Summary Judgment of Invalidity filed by Brixley Bags, LLC ("Brixley") on June 16, 2025 (Dkt. No. 74) ("the MSJ"). The materials at issue contain sensitive business communications, and Thread's competitive interest in that information outweighs the public's interest in the disclosure of it.

I. MEMORANDUM

This is a patent infringement action involving two design patents covering the design of Thread’s crossbody bag. In the course of discovery, the parties have exchanged documents and provided deposition testimony that contain confidential, non-public business information.

Brixley filed its MSJ on June 16, 2025. The MSJ quotes and cites to selections from some of the documents and testimony that were previously designated AEO in this action. These selections are highlighted in the sealed version of the MSJ. To avoid unnecessary harm to Thread’s competitive position, Thread seeks an order permitting the sealing of the MSJ.

Courts have long recognized a common law and constitutional presumption of public access to judicial records. However, the right of public access to judicial records is “not absolute.” [*C.R. Bard, Inc. v. Med. Components, Inc.*](#), No. 2:17-CV-00754, 2025 WL 934613, at *1 (D. Utah Mar. 27, 2025) (internal quotation omitted). The presumption of public access may be overcome where the party seeking to seal the information demonstrates that “countervailing interests heavily outweigh the public interests in access.” [*Colony Ins. Co. v. Burke*](#), 698 F.3d 1222, 1241 (10th Cir. 2012). In particular, the presumption in favor of public access may be overcome by demonstrating that documents “contain sources of business information that might harm a litigant’s competitive standing.” [*Deherrera v. Decker Truck Line, Inc.*](#), 820 F.3d 1147, 1162 n.8 (10th Cir. 2016) (internal quotations omitted).

The Court’s Standard Protective Order (“SPO”) allows designation of information and documents as “Attorneys’ Eyes Only” if the designating party believes “in good faith” that the materials contain, for example, sensitive business information, competitive business information, or “any other CONFIDENTIAL information the producing party reasonably and in good faith

believes would likely cause harm if disclosed.” Standard Protective Order, § (A)(2). The Standard Protective Order also allows a person to designate information or documents as Confidential when the person believes “in good faith” that the materials contain “nonpublic proprietary confidential ... business ... information.” *Id.*, § (A)(1).

Disclosure of the highlighted information in the MSJ would place Thread at a competitive disadvantage because it discloses information about how Thread designs its products. These types of documents and testimony are particularly sensitive in the case at bar, where Thread has accused Brixley of copying its product design and does not want to give Brixley any further insight into Thread’s business operations.

For the foregoing reasons, Thread respectfully requests that the Court grant this Motion and enter an order permitting the filing under seal of the MSJ.

DATED this 24th day of June, 2025.

Respectfully submitted,

/s/ Brittany Frandsen

David P. Johnson

Brittany Frandsen

Attorney for Plaintiff

THREAD WALLETS LLC